

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
CENTRAL DIVISION

CAPITOL RECORDS, INC., a Delaware corporation; WARNER BROS. RECORDS, INC., a Delaware corporation; ARISTA RECORDS, INC., a Delaware corporation; BMG MUSIC, a New York general partnership; SONY MUSIC ENTERTAINMENT, INC., a Delaware corporation; and UMG RECORDINGS, INC., a Delaware corporation,

Plaintiffs,

v.

JIM FITZPATRICK,

Defendant.

CIVIL ACTION No. 04-CV-40168 FDS

**NOTICE OF DISMISSAL WITH PREJUDICE  
WITH REGARD TO DEFENDANT JIM FITZPATRICK**

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiffs hereby give notice of the dismissal with prejudice of the above-captioned matter with regard to defendant Jim Fitzpatrick.

CAPITOL RECORDS, INC.; WARNER BROS.  
RECORDS, INC.; ARISTA RECORDS, INC; BMG  
MUSIC; SONY MUSIC ENTERTAINMENT, INC.;  
and UMG RECORDINGS, INC.  
By their attorneys,

/s/ Jocelyn L. Heyman

Colin J. Zick (BBO No. 556538)

Gabriel M. Helmer (BBO No. 652640)

Jocelyn L. Heyman (BBO No. 660240)

FOLEY HOAG LLP

155 Seaport Boulevard

Boston, MA 02210-2600

Phone: (617) 832-1000

Fax: (617) 832-7000

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ATTORNEYS FOR PLAINTIFFS